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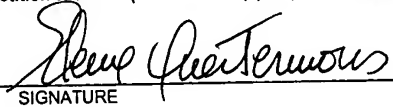
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|--|---|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 819CIP/PCT |
| | | U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/531164 |
| INTERNATIONAL APPLICATION NO. PCT/US03/30720 | INTERNATIONAL FILING DATE 09/20/2003 | PRIORITY DATE CLAIMED 10/02/2002 |
| TITLE OF INVENTION NOVEL NUCLEIC ACIDS AND POLYPEPTIDES | | |
| APPLICANT(S) FOR DO/EO/US Y. Tom Tang et al. | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 40px;">d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Statements under 37 CFR 1.52 and 1.821, respectively.</p> | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JC12 Rec'd PCT/PTC 12 APR 2005

PTO-1390 (Rev. 02-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|---|--------------|---|--|---------------------------------------|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 70/531164 | | INTERNATIONAL APPLICATION NO. PCT/US03/30720 | | ATTORNEY'S DOCKET NUMBER 819CIP/US | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic national fee..... \$300 | | | | \$ 300.00 | |
| 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200 | | | | \$ 100.00 | |
| 23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500 | | | | \$ 100.00 | |
| TOTAL OF 21, 22 and 23 = | | | | \$ 500.00 | |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| 718 - 100 = | 618 /50 = | 13 | x \$250 | \$ 3250.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | | | \$ 130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 26 - 20 = | 6 | x \$ 50 | \$ 300.00 | |
| Independent claims | 3 - 3 = | 0 | x \$200 | \$ 0.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ 0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 3680.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | |
| SUBTOTAL = | | | | \$ 2090.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 2090.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ 2090.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>501169</u> in the amount of \$ <u>2090.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>501169</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> | | | | | |
| <p>SEND ALL CORRESPONDENCE TO: NUVELO, Inc. 675 Almanor Avenue Sunnyvale, CA 94085 tel: 408.215.4000 fax: 408.524.8145</p> | | | <p> SIGNATURE Elena Quertermous, Ph.D. NAME 47,873 REGISTRATION NUMBER</p> | | |

10/531164
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Docket No. 819CIP/US

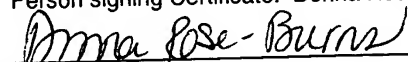
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Y. Tom Tang et al.
Serial No: TBD
I.A. Serial No. PCT/US03/30720
I.A. Filing Date: 09/20/2003
For: NOVEL NUCLEIC
ACIDS AND
POLYPEPTIDES

CERTIFICATE OF MAILING
UNDER 37 CFR 1.10

I hereby certify that this correspondence and any documents referred to as being enclosed therewith are being deposited with the U.S. Postal Service on **April 12, 2005**, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, utilizing the "Express Mail Post Office to Addressee" service of the U.S. Postal Service under Express Mail Label No. EV 331 982 390 US.

Person signing Certificate: Donna Rose-Burns


Signature of Person Mailing

STATEMENT UNDER 37 CFR §1.52(e)(3)

Mail Stop SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby state the material on the compact discs contain the file labeled "819_seq_listing.txt", contain a size of 9.96 MB (10,446,848 bytes) and were created on an IBM PC, Windows 2000 operating system on Tuesday, September 23, 2003, 4:18:40 PM.

Respectfully submitted,

Date: 04/12/2005

By: 
Elena Quertermous, Ph.D.
Agent for Applicants
Reg. No. 47,873
Customer No. 34285
Nuvelo, Inc.
675 Almanor Avenue
Sunnyvale, CA 94085
Tel.: (408) 215.4000
Fax: (408) 524.8145
e-mail: patents@nuvelo.com

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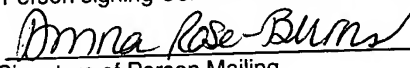
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| Applicant(s): | Y. Tom Tang et al. |
| Serial No: | TBD |
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Person signing Certificate: Donna Rose-Burns


Signature of Person Mailing

STATEMENT REGARDING SEQUENCE LISTING UNDER 37 CFR § 1.52(e)(4)

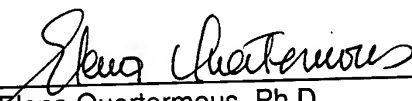
Mail Stop SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby state that the two compact discs are identical.

Respectfully submitted,

Date: 04/12/2005

By: 
Elena Quertermous, Ph.D.
Agent for Applicants
Reg. No. 47,873
Customer No. 34285
Nuvelo, Inc.
675 Almanor Avenue
Sunnyvale, CA 94085
Tel.: (408) 215.4000
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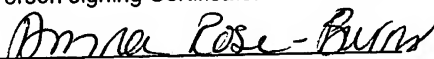
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Person signing Certificate: Donna Rose-Burns


Signature of Person Mailing

STATEMENT REGARDING SEQUENCE LISTING UNDER 37 CFR §1.821(g)

Mail Stop SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

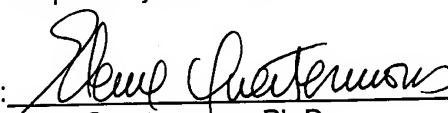
Dear Sir:

I hereby state that the submission, filed in accordance with 37 CFR 1.821(g), herein does not include matter which goes beyond the disclosure in the international application.

Respectfully submitted,

Date: 04/12/2005

By:



Elena Quertermous, Ph.D.

Agent for Applicants

Reg. No. 47,873

Customer No. 34285

Nuvelo, Inc.

675 Almanor Avenue

Sunnyvale, CA 94085

Tel.: (408) 215.4000

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